

**EL DORADO COUNTY
COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL MANAGEMENT DIVISION**

IN RE: Bryant Creek/Fir Tract
Water System No.- 0900618

ATTN: Paul Hugo, President
Bryant Creek/Fir Tract
Highway 50
Twin Bridges, CA 95735

**CITATION NO. 01_09_16C_001_0900618_22
VIOLATION OF MAXIMUM CONTAMINANT LEVELS
FOR TOTAL COLIFORM BACTERIA
TITLE 22, CALIFORNIA CODE OF REGULATIONS, SECTION 64426.1(b)(2)
ISSUED ON July 22, 2016**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for failure to comply with a requirement of the California Safe Drinking Water Act, California Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270 (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The County of El Dorado Community Development Agency, Environmental Management Division (hereinafter "Division"), hereby issues a citation to the Bryant Creek/Fir Tract (mailing address: 1062 Ringwood Avenue, Menlo Park, CA 94025)

(hereinafter "Water System") for violation of Title 22 of the California Code of Regulations ("CCR"), Section i.e. 64426.1(b)(2).

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Title 22, California Code of Regulations, Section 64426.1(b)(2) provides in relevant part: (b) A public water system is in violation of the total coliform MCL when any of the

1 following occurs: (2) For a public water system which collects fewer than 40 samples
2 per month, more than one sample collected during any month is total coliform-positive.

3 **STATEMENT OF FACTS**

4
5 The Water System is operated under Water Supply Permit No. 0900618, issued on
6 June 30, 2016.

7 The Water System is a transient-noncommunity water system serving approximately
8 44 seasonal summer cabins on USFS property, typically during the months of May
9 through October each year. The Water System source of supply is untreated
10 groundwater from a well.
11

12 Title 22, CCR, Section 64423(a)(3) specifies that a transient-noncommunity water
13 system using groundwater and serving 1,000 or fewer persons a month shall collect a
14 minimum of one routine bacteriological sample in each calendar quarter during which
15 the system provides water to the public for analysis of total coliform content to
16 determine compliance with the maximum contaminant level (MCL) for total and fecal
17 coliform bacteria.
18

19 A routine sample taken June 28, 2016 tested positive for Total Coliforms, and one of
20 four repeat samples taken June 30-July 1, 2016 tested positive for Total Coliforms.

21 The operator provided the required public notification and then chlorinated and flushed
22 the system. The operator completed a Level 1 Assessment form on July 18, 2016.

23 Subsequent routine samples taken July 6 and July 12 tested negative for bacteria.
24

25 A routine sample taken July 18, 2016 was positive for Total Coliforms, and two of four
26 repeat samples taken July 20, 2016 tested positive for Total Coliforms. The operator
27 provided the required public notification and is planning to chlorinate and flush the
28 system again.

DETERMINATION

Based on the above information, the Division has determined that the Water System violated Title 22 CCR Section 64426.1(b)(2) which specifies that a public water system is in violation of the total coliform MCL if more than one sample collected during any month is total coliform-positive. The results of the sample analysis for the Water System indicated that more than one sample collected during the months of June and July 2016 was total coliform positive.

DIRECTIVES

The Water System is hereby directed to take the following actions:

1. Comply with Title 22 CCR Section 64426.1 in all future monitoring periods.
2. Within thirty (30) days of the issuance of this Citation, schedule a Level 2 Assessment to be conducted by Environmental Management Division.
3. Notify all persons served by the Water System of the total coliform MCL violation in conformance with Title 22 CCR Sections 64426.1(c) and 64463.4. Noted that operator has complied with this requirement.
4. Complete and return Attachment A "*Certification of Completion of Public Notification*" form to the Division within ten (10) days of completion of the public notification.
5. Within thirty (30) days of receipt of this Citation, the Water System shall submit a written response to the Division indicating its willingness to comply with directives of this Citation.

The Division reserves the right to make such modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation, and shall be deemed effective upon issuance.

Nothing in this Citation relieves Water System of its obligation to meet the requirements of the California SDWA, or of any regulation, permit, standard, or order issued or adopted thereunder.

All submittals required by this Citation shall be submitted to the Division at the following address:

Barbara Houghton, PG, CHG, REHS
Environmental Health Manager
El Dorado County
Community Development Agency
Environmental Management Division
2850 Fairlane Court, Bldg C
Placerville, CA 95667
(530) 621-6649

PARTIES BOUND

This Citation shall apply to and be binding upon the Bryant Creek/Fir Tract, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

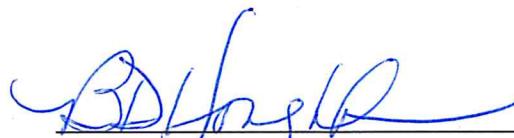
FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation

identified in a citation or compliance order. The California SDWA also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Division; and to petition the Superior Court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

7/27/2016

Date



Barbara Houghton, PG, CHG, REHS
Environmental Health Manager
El Dorado County
Community Development Agency
Environmental Management Division

Attachments:

- A. Total Coliform Notice Template (Unresolved)
- B. Total Coliform Notice Template (Resolved)
- C. Certification of Completion of Public Notification

cc: Ali R. Rezvani, P.E.
Sacramento District Engineer
Division of Drinking Water
State Water Resources Control Board